

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES EDWARD GRANT,

Plaintiff,

ORDER

v.

14-cv-436-jdp

JEFFERY GILL, JOSEPH BEAHM, JESSE SCHNEIDER,
BRIAN GREFF, MR. OLSON, GABRIEL UMENTUM,
DEREK SCHOUTEN, MICHAEL J. LUNDE, LUKAS MARWITZ,
TODD OLIG, JUSTEN KITZMAN and TONY MELI¹,

Defendants.

In an order entered on August 9, 2016, plaintiff James Edward Grant was granted leave to proceed *in forma pauperis* against defendants Jeffery Gill, Joseph Beahm, Jesse Schneider, Brian Greff, Mr. Olson, Gabriel Umentum, Derek Schouten, Michael J. Lunde, Lukas Marwitz, Todd Olig, Justen Kitzman and Tony Meli. Pursuant to an informal service agreement between the Wisconsin Department of Justice and this court, the Attorney General's office has filed an Acceptance of Service of plaintiff's second amended complaint on behalf all defendants, except Mr. Olson.

Although the Attorney General's office has indicated that it cannot identify defendant Mr. Olson, plaintiff may be able to provide further information about Mr. Olson which will allow defendant to be served later in this case. Even though plaintiff does not know the full name of Mr. Olson, "when the substance of a pro se civil rights complaint indicates the existence of claims against individual officials not named in the caption of the complaint, the district court must provide the plaintiff with an opportunity to amend the complaint." *Donald*

¹ I have amended the caption to replace Mr. Schouten with the name Derek Schouten; Mr. Mariwitz with the name Lukas Marwitz; and Mr. Kitzman with the name Justen Kitzman as identified in the Acceptance of Service.

v. Cook County Sheriff's Department, 95 F.3d 548, 555 (7th Cir. 1996). Magistrate Judge Stephen Crocker will discuss with the parties, at the soon-to-be-scheduled preliminary pretrial conference, the most efficient way to obtain the identification of this defendant, and will set a deadline for plaintiff to amend his complaint to include this defendant.

The Attorney General's office has agreed to accept electronic service of documents on behalf of the defendants it represents through the court's electronic filing system. This means that for the remainder of this lawsuit, plaintiff does not have to send a paper copy of each document filed with the court to the Attorney General's office or defendants Jeffery Gill, Joseph Beahm, Jesse Schneider, Brian Greff, Gabriel Umentum, Derek Schouten, Michael J. Lunde, Lukas Marwitz, Todd Olig, Justen Kitzman and Tony Meli. If the identity of defendant Mr. Olson is ascertained, the Attorney General's Office will decide whether to accept electronic service on defendant's behalf. Discovery requests or responses are an exception to the electronic service rule. Usually, those documents should be sent directly to counsel for the opposing party and do not have to be sent to the court. Discovery procedures will be explained more fully at the preliminary pretrial conference.

Entered this 6th day of September, 2016.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge